

Appl. No. 09/837,396  
Amdt. dated October 24, 2004  
Reply to Office Action of July 26, 2004

### **REMARKS/ARGUMENTS**

1. The examiner objected to the oath or declaration filed with the application. Enclosed is a new oath with a check for the required fee of \$65.00.
2. The examiner rejected claims 1-15 as being non-statutory subject matter. Claims 1,8,10,11,15 are amended to show the methods are directed to computerized methods.
3. The examiner rejected domestic priority because the examiner stated no claim was given for domestic priority. The examiner stated provisional application 60/199,061 fails to provide adequate support for claims 1-21 in the instant application.

The claim for priority was believed to be requested as written in the beginning portion of the specification as filed. If this request for priority was insufficient, the examiner's assistance is requested to indicate what procedure is required to claim such a priority.

The provisional application was believed to support the claims 1-21 in the application. Figure 1 of the application illustrates the invention and is representative of what was filed in the provisional application. The present invention maximizes educational enrollments at institutions listed as supply information that offers discounted tuition rates (supply information) to prospective students (listed in demand information) in exchange for access to the prospective students. It is believed that the drawing submitted in the provisional application is the written specification.

4. The examiner rejected claims 1-21 over Schramm US2001/0031458 A1. Schramm is distinguished from the application because it is concerned with a system for assisting high school students in applying for college, comprising an intensive residential workshop for students, college mentoring assistance to high schools, assistance to colleges in the form of an expanded pool of talented applicants, an alumni training program, and a computer program and database for implementing various aspects of the system. It is clearly focused on improving the quality of the high school student's application so that they may be more attractive as a potential candidate to colleges.

Our application is concerned with matching prospective students at all levels of education (undergraduate, post graduate, graduate, PhD/Doctorate programs et al.) where their qualifications to enroll are not an issue in their enrollment, but the cost of education

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and matching economic incentives between the schools and the students will be the primary determinant of maximizing enrollment.

In figure 1 of Schramm, it describes the personal interaction between Community Staff (writing coaches, College Counselors and Rap Director) to improve the presentation of low income, mid-tier academically inclined high school students through coaching and assisting in the preparation of their college applications and portfolios. Also In ¶ 0007, Schramm describes a "system for individualized college preparation assistance that provides intensive as well as continuing assistance to students who would otherwise have difficulty completing and following through on college entrance applications, including but not limited to low income, academically mid-tier students. The invention addresses that need by providing a system that can include 1) helping students recognize and present their true strengths; 2) helping schools reform their college guidance systems; 3) helping colleges constructively expand their applicant pools". It is through this coaching and workshop method that Schramm expects to expand the pool of candidates to colleges that should increase their enrollments.

This is representative of the field of invention of Schramm and not analogous with our application at all.

The focus of our application is connecting pools of prospective students who are implicitly qualified or not in need of the type of the coaching described in Schramm. Our application stresses the supply and demand dynamics that can be optimized by working with the educational institutions, prospective students and potential third party payers (associations, employers that would reimburse or subsidize employee tuition, or corporations that may be interested in offering discounted tuition programs as a business consideration) based on the economics of tuition levels. This student pool and the educational institutions would be made accessible to registered users via an electronic medium such as a computer connected to the Internet. Registered prospective students are matched to educational institutions offering discounted tuition rates. Our application focuses the mutual financial return from improved enrollments at all levels of post-secondary education needs for (1) the educational institutions as they provide the economic enticements, (2) the prospective students where cost of their education is the primary determinant of their enrollment and (3) other groups that would benefit by participating and promoting the tuition discounts to their organizations and members.

5. An Information Disclosure Statement: Form PTO-1449 is enclosed with a check for the required fee for \$180.00.

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### **CONCLUSION**

For all the above reasons, applicants submit that the specifications and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore we submit that this application is now in condition for allowance, which action we respectfully solicit.

### **CONDITIONAL REQUEST FOR CONSTRUCTIVE ASSISTANCE**

Applicants have amended the specifications and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted

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